

### **Remarks**

The above amendments and these remarks are submitted in response to the Office Action of December 14, 2000, and reconsideration is respectfully requested.

In the Office Action, the Examiner objected to the specification because of a number of informalities, and rejected claims 1-9 under 35 U.S.C. § 112, second paragraph. He also indicated, and Applicant acknowledges, that claims 1-9 would be allowable if amended to overcome the rejections under 35 U.S.C. § 112, second paragraph.

Applicant notes that the first page of the pending Office Action states that the Formal drawings submitted with the application have been judged acceptable by the USPTO draftsman in a Patent Drawing Review done on January 6, 2000. However, paragraph seven (7) of the Office Action states that the Applicant is encouraged to submit formal drawings. Clarification is respectfully requested.

#### **Objection to the Specification under 35 U.S.C. § 112, Second Paragraph**

The Examiner noted various typographical or grammatical errors in the specification. The specification has been amended to correct the typographical and grammatical errors, as well as others found by Applicant's representative, thereby obviating the basis for these objections. No new subject matter has been added. Reconsideration is respectfully requested.

#### **Rejection of Claims 1-9 under 35 U.S.C. § 112, Second Paragraph**

Currently pending claims 1-9 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-9 have been amended in accordance with the Examiner's suggestions, to correct for antecedent basis and/or to more clearly define the invention, thereby obviating the basis for these rejections. Support for these amendments can be found throughout the specification.

The amendments to the claims should in no way be construed as an acquiescence to any of the rejections. They are being made not to narrow the claims, but solely to more particularly point out and distinctly claim Applicant's invention in order to expedite the prosecution of the application. Applicant reserves the right to pursue the claims as originally filed in this or a separate application(s).

In view of the amendments, reconsideration and withdrawal of the rejection under § 112 is respectfully requested.

**New claims**

Applicant has added eight new claims (10-17), including one new independent claim (10) to cover aspects of the invention. The new claims are supported by the specification, drawings and originally filed claims, and should not require a new search.

**Conclusion**

Attached hereto is a clear instruction regarding the changes made to the specification and a marked up version of the claims, both as accomplished by this Amendment and Response. The attached is captioned "Version with markings to show changes made."

It is believed that no fees are due in connection with this communication. However, the Office is hereby authorized to charge Deposit Account 04-1420 for any fees due.

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Applicant notes that this application was filed with a statement to claim small entity status, and was subsequently assigned to Disetronics Licensing AG, a large entity. Any fees due after the assignment will, therefore, be paid on the basis of large entity status.

It is respectfully submitted that the above amendments have placed the application in condition for allowance. Reconsideration of the objections and rejections, and allowance of all pending claims is respectfully requested.

If a telephone conversation would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (612) 340-6317.

Please direct all correspondence to the undersigned.

Respectfully submitted,

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By



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